

01  
02     FILED     LODGED     ENTERED  
03     RECEIVED  
04     FEB 23 2011  
05  
06     BY CLERK AT SEATTLE  
07     WESTERN DISTRICT OF WASHINGTON DEPUTY



09-CV-01799-ORD

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 DURIELL JAMES SIDERS, )  
09       Plaintiff,              ) CASE NO. C09-1799-JLR-MAT  
10       v.                      )  
11 OFFICER D. PASCO, et al., ) ORDER ON PLAINTIFF'S MOTION  
12       Defendants.            ) TO AMEND COMPLAINT  
13

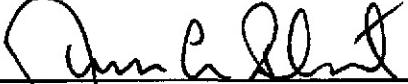
14       The Court, having reviewed the Report and Recommendation of the Honorable Mary  
15 Alice Theiler, United States Magistrate Judge, and the balance of the record, does hereby find  
16 and ORDER:

- 17       (1)      The Court adopts the Report and Recommendation;  
18       (2)      Plaintiff's motion to amend (Dkt.23) is GRANTED in part and DENIED in part;  
19       (3)      Plaintiff's claims as they relate to the December 11, 2009 incident and his claims  
20              against Negron are DISMISSED;  
21       (4)      Plaintiff's attempt to include claims against Tamura and Constantine are  
22              DENIED;

ORDER ON PLAINTIFF'S MOTION  
TO AMEND COMPLAINT  
PAGE -1

- 01           (5) Plaintiff is GRANTED leave to proceed with his second amended complaint as  
02           containing a retaliation claim against Pasco, Stowers, and Woodbury; and  
03           (6) The Clerk is directed to send copies of this Order to plaintiff and to Judge  
04           Theiler.

05           DATED this 23<sup>rd</sup> day of Feb., 2011.

06             
07           JAMES L. ROBART

08           United States District Judge